

REMARKS

Applicants respectfully request reconsideration of this application. Claims 1-32 are pending. Claims 1, 9, 17, 24, and 27 have been amended without introducing any new matter. No claims have been added or cancelled.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-5, 7-13, 15-21 and 23-31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,694,336B1 of Multer et al. (“Multer”) in view of U.S. Patent No. 6,502,191 of Smith et al. (“Smith”). Applicants respectfully traverse the rejections.

Claim 1 as amended sets forth:

based on a size of binary information and an *amount of storage available in a handheld device*, deciding to transfer the binary information in synchronizing a server and a synchronization client associated with the handheld device;

(Claim 1, emphasis added).

In contrast, neither Multer nor Smith, alone or in combination, teaches the above limitation. The final Office Action admitted that Multer does not teach “the size of the binary file is to be based for deciding to its transfer” (Final Office Action, p. 3). Moreover, the other cited reference, Smith, also fails to teach the above limitation.

Smith discloses a networked system having a firewall to route files from one computer to another computer. According to Smith, the firewall may block a file based on a size of the file. (Smith, col. 4, ln. 33-59) However, Smith does not disclose, suggest, or imply deciding whether to transfer the file based on an amount of storage available in the computer. Therefore, Smith also fails to teach deciding to transfer the binary

information in synchronizing a server and a synchronization client associated with a handheld device based on a size of binary information and an amount of storage available in the handheld device. Since neither Multer nor Smith, alone or in combination, teaches every limitation in claim 1 as amended, claim 1 is patentable over Multer in view of Smith for at least this reason. Withdrawal of the rejection is respectfully requested.

Claims 9, 17, 24, and 27 as amended are patentable over Multer in view of Smith for the reason discussed above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

Claims 2-5, 7-8, 10-13, 15-16, 18-21, 23, 25-26, and 28-31 depend, directly or indirectly, from claims 1, 9, 17, 24, and 27, respectively. Thus, having additional limitations, claims 2-5, 7-8, 10-13, 15-16, 18-21, 23, 25-26, and 28-31 are patentable over Multer in view of Smith. Withdrawal of the rejection is respectfully requested.

Claims 6, 14, 22 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,694,336B1 of Multer et al. ("Multer") in view of U.S. Patent No. 6,502,191 of Smith et al. ("Smith") and further in view of U.S. Patent No. 6,233,600 of Salas et al. ("Salas"). Applicants respectfully traverse the rejections.

Claim 6 depends from claim 1 and thus, includes every limitation set forth in claim 1. For the reason discussed above with respect to claim 1, neither Multer nor Smith, alone or in combination, teaches deciding to transfer the binary information in synchronizing a server and a synchronization client associated with a handheld device based on a size of binary information and an amount of storage available in the handheld device. Furthermore, Salas also fails to teach the above limitation. Salas merely discloses a computing system to provide a networked collaborative work environment

(Salas, Abstract). Therefore, none of Multer, Smith, nor Salas, alone or in combination, teaches every limitation of claim 6. For at least this reason, claim 6 is patentable over Multer in view of Smith and Salas. Withdrawal of the rejection is respectfully requested.

Claims 14, 22, and 32, depend from claims 9, 17, and 27, respectively, and thus, include every limitation set forth in their respective base claims. For the reason discussed above with respect to claim 6, claims 14, 22, and 32 are patentable over Multer in view of Smith and Salas. Withdrawal of the rejection is respectfully requested.

CONCLUSION

Applicants respectfully submit that the rejections have been overcome by the remarks, and that the pending claims are in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the pending claims be allowed.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 5/2, 2006



Chui-kiu Teresa Wong
Attorney for Applicants
Reg. No. 48,042

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300